4142

BILL NO. Z-78-08-10

ZONING MAP ORDINANCE NO. Z-21-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. E-3, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lots 232 & 233, Country Club Terrace Addition, Section A; more commonly known as 5812 Covington Road.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice~~, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock _____ M., E.S.T.

DATE: 8-8-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by J. Schmidt, seconded by Hunter, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9	0			
BURNS	X				
HINGA	X				
HUNTER	X				
MOSES	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
STIER	X				
TALARICO	X				

DATE: 10-10-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. Z-21-78 on the 10th day of October, 1978

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P M., E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, August 8, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-08-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 21, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment wil; be in the best interest of and benefit to the city, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 25, 1978.

Certified and signed this
26th day of September 1978.

Luben Lazoff

Luben Lazoff
Secretary

Bill No. Z-78-08-10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. E-3

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

10-10-78 CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK

GrayLine

RECEIPT

Date [illegible] 19[illegible] No. 10196

Received From [illegible]

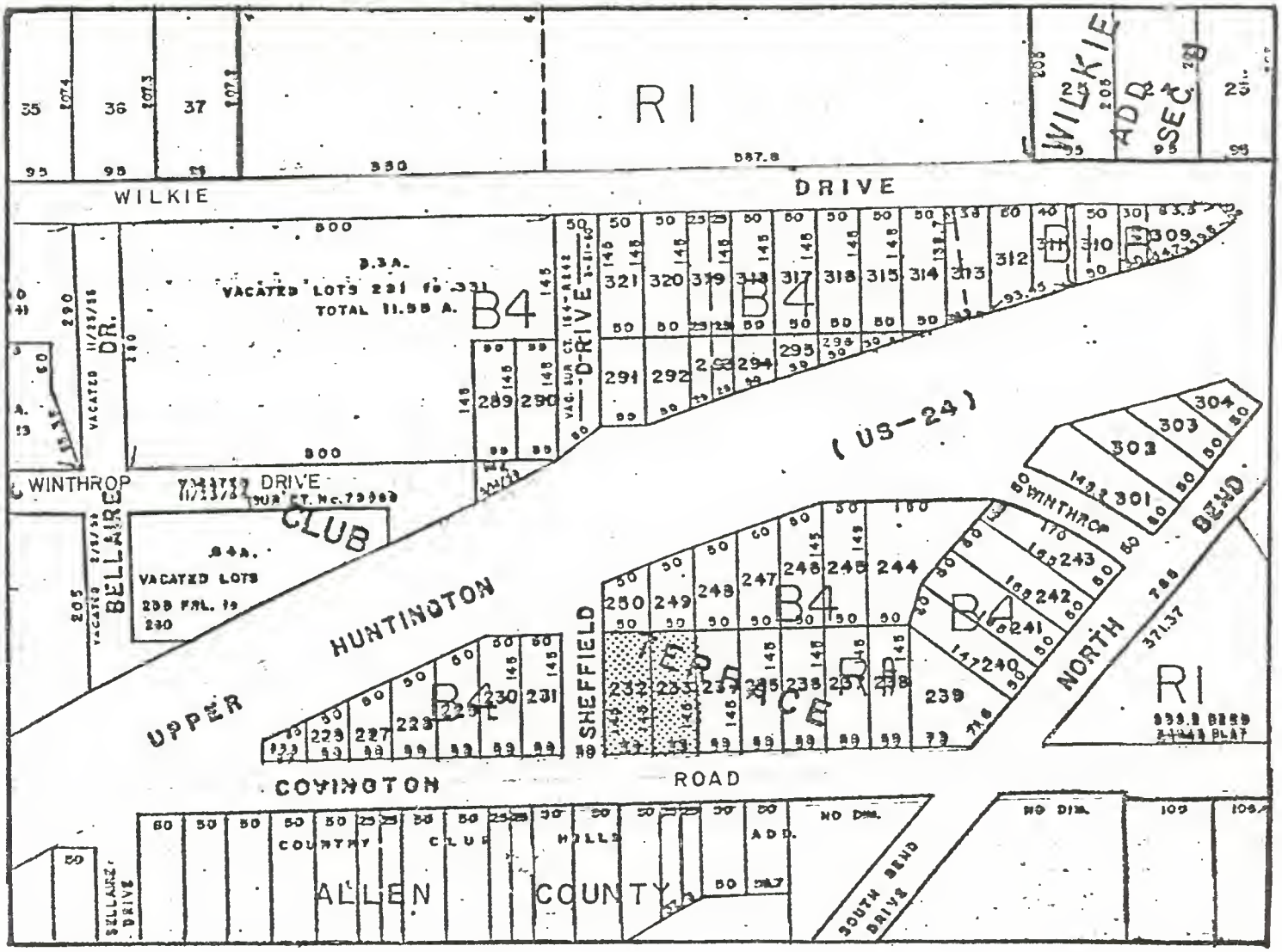
Address [illegible]

[illegible] Dollars $ 500.00

For [illegible]

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	✓	
BALANCE DUE			MONEY ORDER		

By [illegible]



REZONE FROM RA TO R3

MAP NO. E-3

Z-78-08-10

BY M.F.C. 7-17-78

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We John W. and Jane W. Carlile
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-A District to a/an R-3 District the property described as follows: E-3

5812 Covington Road

Lots 232 and 233 Country Club Terrace Addition, Section A

487- 4509451

Planned use - sales office for manufacturer's representative business.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address & Zip Code)	(Signature)
Lloyd M. Conley	5812 Covington Road Fort Wayne, IN 46804	Lloyd M. Conley
Martha E. Conley	5812 Covington Road Fort Wayne, IN 46804	Martha E. Conley

(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip code)	(Telephone Number)
John W. Carlile	7003 Balmoral Drive 46804	432-8165

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

(Name)	(Address & Zip Code)	(Signature)

RESTRICTIVE COVENANT

WE, LLOYD M. CONLEY and MARTHA E. CONLEY, husband and wife, each of full legal age, being the owners of the real estate in Allen County, State of Indiana, described as follows:

Lots 232 and 233 in Country Club Terrace Addition, Section "A", an Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof,

in consideration of permission to use said real estate for "R-3" zoning purposes, hereby covenant and agree, for ourselves, grantees, personal representatives, and assigns, as follows:

There shall be no ingress or egress to or from said real estate from Covington Road but ingress and egress shall continue from Sheffield Drive, Fort Wayne, Indiana. In the event that Lots 234, 235, 236, 237 and 238 in Country Club Terrace Addition, Section "A" are commercially zoned and are allowed access to Covington Road, we reserve the right to negotiate use of such access with the owners or owner for ingress and egress from Covington Road, Fort Wayne, Indiana.

This is not a personal covenant but shall run with the land and inure to the benefit of all owners of the real estate within 500 feet of said real estate and of the public. It may be enforced by injunction or otherwise by any of said owners or by the City of Fort Wayne on behalf of the public.

WITNESS our hands and seals, this 19 day of September, 1978.

Lloyd M. Conley (SEAL)
LLOYD M. CONLEY

Martha E. Conley (SEAL)
MARTHA E. CONLEY

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, this 19th day of September, 1978, personally appeared LLOYD M. CONLEY and MARTHA E. CONLEY, Husband and wife, each of full legal age, and acknowledged the execution of the above Restrictive Covenant to be their voluntary act and deed.

WITNESS my hand and Notarial Seal.

Barbara Ann Collier
Notary Public
A resident of Allen County, Indiana

My Commission Expires:
January 20, 1982

This instrument prepared by Thomas E. Fruechtenicht, attorney at law.

4142

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-78-08-10

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 232 & 233 Country Club Terrace Addition, Section A; more commonly known as 5812 Covington Road.

EFFECT OF PASSAGE Property is now zoned "RA" District - Suburban Residential. Property will become "R3" District - Multiple Family Residential.

EFFECT OF NON-PASSAGE Property will remain "RA" District - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)_____

ASSIGNED TO COMMITTEE (J.N.)_____

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 18, 1978

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 21, 1978 & October 28, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinances:

Bill No. Z-78-08-10
Zoning Map Ordinance No. Z-21-78

Bill No. Z-78-08-11
Zoning Map Ordinance No. Z-22-78

Bill No. G-78-08-35
General Ordinance No. G-28-78

Please send us 10 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

AN EQUAL OPPORTUNITY EMPLOYER

© F.W.B.C. 1974

LEGAL NOTICE

Notice is hereby given that on the 10th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-08-10 -- Zoning Map Ordinance No. Z-21-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-3.

Notice is hereby given that on the 10th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-08-11 --- Zoning Map Ordinance No. Z-22-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-14

Notice is hereby given that on the 10th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-78-08-35 -- General Ordinance No. G-28-78, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-08-10 -- Zoning Map Ordinance No. Z-21-78, Bill No. Z-78-08-11 -- Zoning Map Ordinance No. Z-22-78 and General Ordinance No. G-78-08-35 -- General Ordinance No. G-28-78, were passed by the Common Council on the 10th day of October, 1978, and said Ordinances were duly signed and approved by the Mayor on the 17th day of October, 1978, and now remains on file and on record in my office.

Copies of said Bill No. Z-78-08-10 -- Zoning Map Ordinance No. Z-21-78, Bill No. Z-78-08-11 -- Zoning Map Ordinance No. Z-22-78 and Bill No. G-78-08-35 -- General Ordinance No. G-28-78, are posted in the following places in Fort Wayne, Allen County, Indiana

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the east door of the Allen County Court House

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(4) The Reference Room in the north end of the main floor in said Downtown Public Library

(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fufilled and post the above Ordinances in the designated places as stated above on October 20, 1978

Charles W. Westerman

Charles W. Westerman
City Clerk

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
Body	number of lines	71
Tail	number of lines	2
	Total number of lines in notice	73

COMPUTATION OF CHARGES

73 lines, 1 columns wide equals 73 equivalent lines at .259¢ cents per line — $ 18.91

Additional charge for notices containing rule or tabular work (50 per cent of above amount) —

Charge for extra proofs of publication (50 cents for each proof in excess of two) — 4.00

TOTAL AMOUNT OF CLAIM — $ 22.91

DATA FOR COMPUTING COST

Width of single column 9.9 ~~11~~ ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

...rovision and penalties of Ch. 89, Acts 1967.

...at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just ...part of the same has been paid.

V. E. Gerken

...28, 19 78

Title CLERK

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Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and post the above Ordinances in the designated places as stated above on October 20, 1978.

Charles W. Westerman
City Clerk

10—21 10—28

...CH COPY OF
...SEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

10/21-28/78

V. E. Gerken

Subscribed and sworn to before me this 28th day of October 1978

Harry W. Wiley
Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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Charge for extra proofs of publication (50 cents for each proof in excess of two)	4.00
TOTAL AMOUNT OF CLAIM	$ 22.91

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date October 28, 19 78

Title CLERK

ankees

finding Matt Robinson a ca-
for 215 yards and two touch-
altimore.
rds try to snap their losing
will be trying to extend theirs
They're the NFL's only two
ving lost to Philadelphia.

places in Fort Wayne, Allen County, Indiana

(1) The main [illegible] lobby of the City-Cou[illegible]

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City Clerk

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Charles W. Westerman
City Clerk

10—21 10—28

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10/21-28/78

V. E. Gerken

Subscribed and sworn to before me this 28th day of October 1978

Harry [illegible]
Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

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Arvilla DeWald

Title CLERK

28, 19 78

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City Clerk

10—21 10—28

H COPY OF
SEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

10/21-28/78

Arvilla DeWald

Subscribed and sworn to before me this 28th day of October 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Date October 28, 19 78

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H COPY OF
SEMENT HERE

P.S. Not one person h
so mad at me that he or
call back in a day or
More Bar Buttons
Dear Bus: I'm in fav
whatever is necessary
yourself against the p
Congratulations on bein
the ball.
Dear Ann: I was v
pointed in your ansv

(1) The main floor lobby of the City-County Building
(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
(3) The bulletin board in the lobby at the east door of the Allen County Court House

Copies of said Bill No. Z-78-08-10—Zoning Map Ordinance No. Z-21-78, Bill No. Z-78-08-11—Zoning Map Ordinance Z-22-78 and Bill No. G-78-08-35— General Ordinance No. G-28-78, are posted in the following places in Fort Wayne, Allen County, Indiana

(4) The Reference Room in the north end of the main floor in said Downtown Public Library
(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and post the above Ordinances in the designated places as stated above on October 20, 1978.

Charles W. Westerman
City Clerk

10—21 10—28